

**FAIRFAX COUNTY PLANNING COMMISSION
ENVIRONMENT COMMITTEE/ENVIRONMENTAL QUALITY
ADVISORY COUNCIL
WEDNESDAY, OCTOBER 19, 2005**

COMMITTEE MEMBERS PRESENT:

Walter L. Alcorn, At-Large
John R. Byers, Mount Vernon District
James R. Hart, Commissioner At-large
Nancy Hopkins, Dranesville District
Kenneth A. Lawrence, Providence District
Laurie F. Wilson, At-Large

COMMITTEE MEMBERS ABSENT:

Frank A. de la Fe, Hunter Mill District

OTHER COMMISSIONER PRESENT:

Rodney L. Lusk, Lee District

**ENVIRONMENT COMMITTEE/ENVIRONMENTAL QUALITY ADVISORY COUNCIL
(EQAC) MEMBERS PRESENT:**

Frank Crandall
Stella Koch
Bob McLaren

PLANNING COMMISSION STAFF PRESENT:

Barbara J. Lippa, Executive Director, Planning Commission Office
Linda Rodeffer, Planning Commission Office

**DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENT SERVICES STAFF
PRESENT:**

Jimmie Jenkins, Director
Michelle Brickner, Director, Site Development Services (SDS)
Gayle England, Stormwater Planning Division (SWPD)
John Friedman, Land Development Services (LDS)
James Patteson, Director, LDS
Fred Rose, SWPD
Ron Tuttle, SWPD

DEPARTMENT OF PLANNING AND ZONING STAFF PRESENT:

John Bell, Engineer III, Planning Division (PD)
Noel Kaplan, Senior Environmental Planner, PD
Jack Reale, Zoning Administration Division

OTHERS PRESENT:

Kambiz Agazi, Environmental Coordinator, Office of the County Executive
Michael Rolband, President, Wetlands Studies and Solutions, Inc.

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Chairman Walter L. Alcorn convened the meeting at 7:33 p.m. in the Board of Supervisors' Conference Room, Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. He noted tonight's meeting would focus on a matrix on Stream Protection Tools, prepared by Noel Kaplan, Senior Environmental Planner, Planning Division, Department of Planning and Zoning, as requested by the Committee at its September 14, 2005 meeting. (A copy of the matrix is in the date file.)

Mr. Kaplan explained that the matrix was a summary of stream protection techniques including options and considerations based on ideas put forth at the September 14, 2005 Environment Committee/EQAC meeting as well as those identified by staff, as follows:

- Part 1: Physical Protection Techniques

- Resource Protection Area (RPA) Requirements
 - Floodplain Regulations
 - Environmental Quality Corridor (EQC) Policy
 - General Comprehensive Plan Guidance
 - Open Space/Conservation Easements
 - Zoning Incentives

- Part 2: Stormwater Management Techniques

- Stormwater Detention Requirements
 - Adequate Outfall Requirement
 - Impervious Cover Limits
 - Low Impact Development (LID) Practices
 - Erosion and Sediment Control
 - Parking Requirements

- Part 3: Restoration Techniques (Capital Projects)

- Watershed Management Planning
 - Stream Stabilization and Restoration Projects
 - Other Watershed Management Plan Projects (e.g., obstruction removal; debris/trash removal; LID retrofits).

Chairman Alcorn commented that the matrix was very comprehensive and asked committee members to identify one or two items that they would like to see pursued at this time.

In response to a question from Stella Koch, EQAC, Chairman Alcorn said that the capital projects listed in Part 3 of the matrix would require funding. Ms. Koch said it would be helpful to know which techniques would not have costs involved.

Frank Crandall, EQAC, commented that since it was impossible to implement all of the techniques, it would be helpful to rank them in order of increasing utility.

In response to a question from Commissioner Hart, Jimmie Jenkins, Director, Department of Public Works and Environmental Service (DPWES), said he thought a report issued by the Stormwater Advisory Committee addressed funding options and levels of service for stormwater management, but had not been specific about stream protection.

Referring to the matrix, Commissioner Hart ask if parking requirements, listed under Part 2: Stormwater Management Techniques on page 9, could be linked to pending Code Amendment proposals on parking requirements. Jack Reale, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ), said that the County's Department of Transportation was revisiting survey results and the proposed amendment would probably go to the Board of Supervisors (BOS) for authorization in January or February 2006.

In response to a question from Chairman Alcorn, Kambiz Agazi, Environmental Coordinator, Office of the County Executive, said that Gerald Connolly, Chairman of the BOS, had asked staff to look at the linkage between the ongoing parking study and LID practices that mitigated runoff. He also said according to Kathy Ichter, Chief, Transportation Planning and Operations Division, Fairfax County Department of Transportation (FCDOT), a date had not been set for public hearings on the parking study; therefore, LID practices could still be incorporated into the study.

Responding to a question from Mr. Jenkins, Michelle Brickner, Director, Site Development Services, DPWES, said that the BOS had endorsed the use of porous pavement for commercial development, but not for single family residential development. Mr. Jenkins commented that LID concepts would be incorporated into the PFM but noted that his agency had received direction from the BOS about where in the County LID practices would be implemented which complicated the issue.

In response to a question from Commissioner Lawrence, Mr. Kaplan said in many cases, the State dictated the number of acres and feet referred to in the matrix, but he was not sure of the rationale for doing so and would find out. Mr. Crandall said he could further explain this to Commissioner Lawrence after the meeting. Commissioner Lawrence suggested that in addition to giving density bonuses, perhaps density demerits could also be given.

Ms. Koch commented that perhaps Fairfax County should find out how other jurisdictions, such as Arlington County and the City of Alexandria, looked at intermittent streams for protection through the RPA or EQC process. Chairman Alcorn said that another way to do it would be to look at general Comprehensive Plan guidance.

Michael Rolband, President, Wetlands Studies and Solutions, Inc., said revising parking requirements to reduce runoff volumes and requiring detention of the one year-24 hour storm in lieu of the two year storm using base conditions for submissions would be easy and make a big difference. He suggested that before public hearings were held that a map of the RPA be made to determine which areas would be affected.

Responding to a question from Commissioner Alcorn, Mr. Friedman said Mr. Rolband's suggestion would capture ephemeral streams as well as intermittent streams. Mr. Rolband said that in his experience, a very small percentage of streams were ephemeral versus intermittent and a map would be a useful planning tool.

In response to a question from Ms. Koch about whether watershed size could be used to exclude ephemeral streams, Mr. Rolband said it could easily be done and that a lot of environmental groups liked this method because it was definitive. Mr. Crandall disagreed because there could be many ephemeral streams in one watershed area and very few in another.

Commissioner Byers asked why another category of streams was being considered because a stream either ran all the time or it did not. Ms. Koch replied that the latest information on stream protection indicated headwaters should be protected in fragile upstream areas. She added that she thought Mr. Rolband's suggestion was not unreasonable because it connected science with reality and noted that in areas with very little development it could be easily done, but in areas where there was a tremendous amount of development with an enormous impact, it could be difficult to do. She pointed out that the watershed planning process recommended protection of the best streams first and Mr. Rolband's suggestion would do that and give higher priority to streams that were less impacted by development as well as an added degree of protection.

Commissioner Byers said Ms. Koch's comments did not answer his question about having a third category and reiterated that a stream either ran or it did not. Mr. Rolband noted that three years ago when the Virginia Department of Environmental Quality changed their regulations, the term ephemeral had been deleted and streams had been designated as either perennial or non-perennial. He also said that the Corps of Engineers' nationwide regulations identified three detentions, but in Virginia they were just called streams whether they were perennial or intermittent.

Commissioner Lawrence asked if there was a way to demonstrate to a lay person the benefits of protecting headwaters and intermittent streams such as the preservation of the Chesapeake Bay. Ms. Koch replied that the Center for Water Protection had precise data which would do so.

Summarizing the discussion, Chairman Alcorn said it would be useful to determine the value of protecting intermittent streams by extending the watershed. He said perhaps the committee could be briefed on the science of protecting those streams. He also expressed support for the development of a map of the RPA as suggested by Mr. Rolband, if possible. If not, Chairman Alcorn said good examples at the tax map level would be beneficial.

Chairman Alcorn said perhaps the committee should focus on expanding the potential changes to the Zoning Ordinance and possibly the PFM related to parking by incorporating porous pavement concepts into them. He said once data was available about how many properties already zoned and developed would be affected and how many properties were underzoned and vacant, a decision could be better made as to which efforts would be the most valuable.

Mr. Crandall commented that another area which would be worth looking into was what could be done in the case of an individual by-right lot where a house was torn down and another one rebuilt with a much larger footprint. He pointed out that this issue was addressed in a rezoning, but that by-right infill redevelopment was only addressed in the site review process. Chairman Alcorn agreed, saying that both focusing on the parking issue and a map showing where streams went through developed areas would be very helpful.

Ms. Koch commented that it would be worth focusing on parking because as watershed plans were made, impervious cover buildout would have to be addressed.

In response to a question from Mr. Rolband, Chairman Alcorn said he would like to see the impacts of both a 50 and 100 foot buffer.

Mr. Jenkins said if the focus was going to be on intermittent or non-perennial streams it would be a good idea to consult with the County Attorney's office because concern had been expressed about the legal authority to extend the RPA into intermittent streams even though this may have been done in some cases. Chairman Alcorn said he would like to wait until a final decision had been made as to the best course of action because if it could be accomplished through the Comprehensive Plan it would not be a legal issue.

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Commissioner Byers MOVED THAT THE ENVIRONMENT COMMITTEE MINUTES OF JULY 21, 2004, AND SEPTEMBER 14, 2005, BE APPROVED. The motion was seconded and carried unanimously with Commissioner de la Fe absent from the meeting.

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The meeting was adjourned at 8:15 p.m.
Walter L. Alcorn, Chairman

For a verbatim record of this meeting, reference may be made to the audio recording which can be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer
Approved: April 27, 2006

Linda B. Rodeffer, Clerk
Fairfax County Planning Commission